

Kansas Offender Registration Act; HB 2568

HB 2568 makes several amendments to the Kansas Offender Registration Act. The bill adds "adjudications" alongside "convictions" throughout the bill and amends some key terms, including the removal of hospitals from the definition of "treatment facility."

The bill also provides that courts are required to register offenders at conviction or adjudication, rather than at sentencing or disposition, and clarifies the other responsibilities of the court with respect to offender registration at that time, including additional requirements if the offender is released. The bill requires the court to ensure the age of the victim is documented in the journal entry at the time of sentencing, however, rather than at conviction, as there is no journal entry at the time of conviction. Similarly, the bill revises the responsibilities with respect to offender registration of any correctional facility or the registering law enforcement agency's designee; the staff of any treatment facility; the registering law enforcement agency, upon the reporting of any offender; and the Kansas Bureau of Investigation (KBI).

Additionally, the bill revises offender registration requirements to remove the requirement if an offender is in the care or custody of any treatment facility and amends requirements with respect to travel outside the United States and information that must be provided on the registration form.

Further, the bill amends the 15-year registration requirement for some crimes by removing the requirement under sexual battery that one of the parties be less than 18 years of age and adding convictions of any person required by court order to register for an offense not otherwise required by the Kansas Offender Registration Act. It also amends the lifetime registration requirement for the crime of aggravated human trafficking by removing the requirement the victim be less than 18 years of age.

The bill provides no internet website sponsored or created by a registering law enforcement agency or the KBI can contain the address of any place where the offender is an employee or any other information about where the offender works. Such a website, however, must contain a statement that employment information is publicly available and may be obtained by contacting the appropriate registering law enforcement agency or by signing up for community notification through the KBI website.

Finally, the bill provides that when a court orders expungement of a conviction or adjudication that requires registration, the offender must continue registering, although the registration is not open to inspection by the public or posted on the internet. If the offender has an additional conviction or adjudication that requires registration that is not expunged, registration for that conviction or adjudication remains open to the public and may be posted on the internet, unless the registration is ordered restricted.